THE HON'BLE SRI JUSTICE P.S.NARAYANA

Writ Petition No.26189 of 2006

Date: 15th December, 2006

Between :-

Volam Baswarajam ..

Petitioner

And

The Gram Panchayat, Kesamudram
Village & Mandal, Warangal District
Rep. By its Panchayat Secretary
And another ..
Respondents

THE HON'BLE SRI JUSTICE P.S.NARAYANA

Writ Petition No.26189 of 2006

ORDER:-

The matter is coming up for *admission.*

2. Sri Prem Sagar takes notice on behalf of R.1. Learned A.G.P. for R & B takes notice on behalf of R.2.

3. The Counsel representing the respondents state that at present the respondents are not interested in touching the structures, the subject matter of the Writ Petition and the Counsel also would submit that in the event of requirement, the respondents would follow the due process of law. The same is hereby recorded.

4. The Writ Petition is filed for a Writ of Mandamus declaring the action of the respondents in seeking to acquire the building which inclusive of temple comprising its No.2-3 situated at Kesamudram village & Mandal, Warangal District, belong to petitioner for the purpose of Road widening without following the due process of law and without paying any compensation nor issuing any notice to the petitioner as illegal, arbitrary and without jurisdiction, consequently direct the respondents not to acquire the aforesaid building of the petitioner and to pass such other suitable orders.

5. Several factual details are narrated in paras 2 to 8 of

the affidavit filed in support of the Writ Petition.

6. In the light of the stand taken by the Writ Petitioner and also the stand taken by the Counsel representing respondents, this Court is of the considered opinion that the Writ Petition be disposed of directing the respondents not to disturb the building inclusive of temple, the subject matter of the Writ Petition, unless and until due process of law is followed.

7. The Writ Petition is disposed of accordingly. No order as to costs.

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Justice P.S.Narayana

15th December, 2006

Note: Operative portion of the order by wire at party's costs

(B/o.smr)